

Notice of Allowability

Application No.

09/882,026

Examiner

James A. Fletcher

Applicant(s)

GOTOH ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

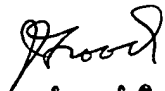
1. ☒ This communication is responsive to 15 June 2001.
2. ☒ The allowed claim(s) is/are 86-87, renumbered 1-2.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.


James J. Groody
Supervisory Patent Examiner
Art Unit 262-2616

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 15 June 2001
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

The examiner deems Ueda et al (6,842,580) to be the closest prior art of record. Ueda et al disclose a method for reproducing real-time data from an information recording medium (Col 1, lines 9-14) comprising a volume space for at least recording in sectors a file comprising data and file management information for managing the file (Fig 26) wherein:

- the real-time data comprises at least one of video data and audio data (Col 1, lines 9-14);
- the real-time data is recorded in at least one real-time extent each of which is allocated with logically contiguous sectors within the volume space (Fig 26);
- a linking loss extent for recording invalid data in the at least one real-time extent (Col 2, lines 57-64);
- determining whether or not the file recorded on the medium is a real-time file containing the real-time data (Col 40, lines 54-59); and
- Ueda et al suggest performing a reproduction operation for the real-time data recorded in the at least one real-time extent, the reproduction operation being continuously performed without performing a recovery process even if a reproduction error due to invalid data recorded in the linking gap occurs (Col 18, lines 25-28).

The prior art does not disclose, suggest, or teach the recited linking gap of claims 86 and 87, wherein the linking gap is a region which overwrites an already-recorded area through appending.

The prior art also does not disclose, suggest, or teach the recited linking loss extent being positioned before each of the at least one real-time extent as recited in claims 86 and 87.

A careful comparison was made with claims in the parent patent granted to Gotoh et al (6,839,504). That patent discloses a medium, method, and apparatus for recording data on a medium that uses the formula described in the application to calculate buffer underflow, but do so with a recording on a medium that is not appended, in contrast to this application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAF
12 December 2005